

whose favour the valuation ascertained by the said commissioners, or a majority of them, or the damages assessed by the said freeholders shall be made, shall be entitled to receive the same from the said petitioners to the said road within the space of six months after the assessment of such valuation or damages, and before they shall proceed to affect the lands and tenements of the person or persons concerned; and upon the payment of the money, or the securing the same to be paid as aforesaid to the person or persons through whose land the said road is intended to pass, the said commissioners may open the said road through such person or persons land; *Provided*, that the said road shall not pass through any house, yard, garden, meadow or orchard, unless with the consent of the owner or owners thereof.

CHAP. XCVIII.

*An Act to incorporate the President and Managers of the Calverton Turnpike Road.* Lib. TH. No. 4, fol. 559. Passed Jan 16 1816

1. BE IT ENACTED, by the General Assembly of Maryland, That Andrew Ellicott, Thomas Ellicott, William Jessop, Dominic B. Jessop, Charles Jessop, Dennis A. Smith, John Worthington, Francis Hollingsworth, Charles Worthington and James Cheston, being proprietors of five mills or mill seats, on Gwynn's Falls, near the city of Baltimore, and having laid out a road from the said mills or mill seats to intersect the Baltimore and Frederick-town turnpike road, be and they are hereby incorporated into a company, by the name and style of The President and Managers of the Calverton Turnpike Road. Persons incorporated.

2. AND BE IT ENACTED, That the space of ground over which the said road passes, fifty feet wide, and commencing at the intersection of the said road with the Baltimore and Frederick-town turnpike road, and terminating at the said mill seats, be and the same is hereby condemned as a public highway, and free for any and every person to pass thereon, subject however to the limitations and provisions hereinafter contained. Ground over which road passes condemned.

3. AND BE IT ENACTED, That the said turnpike road, so far as it relates to the lands of James Carroll through which the same is in part carried, does and shall commence for its centre line, in the middle of the Frederick turnpike road, exactly at the highest point or most elevated spot of said Frederick turnpike road, westwardly from the culvert, just beyond Konig's fence, and running from the said centre line of the Calverton Turnpike the following courses, viz. north fifty-two degrees, west ninety perches; north eighty and an half degrees, west eleven perches; north fifty-six and a quarter degrees, west five perches nine links; north forty-five degrees, west five perches thirteen links; north thirty-three and a quarter degrees, west eleven perches eleven links to the centre of the abutment of the bridge building by said company over Gwynn's run, the said road occupying a space for breadth, of twenty-five feet on each side of the said centre line, so as to make the same in the whole fifty feet broad; which said short courses, departing from the aforesaid straight line of north fifty-two degrees, west ninety perches, the said James Carroll may hereafter, with the consent of said company, if he see fit, reduce to one line, by carrying forward and continuing the said ninety perch line to the bridge aforesaid, Direction and width of road.